

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DAVID and LINDA KETTER,

Plaintiffs,

v.

SELECT PORTFOLIO SERVICING, INC.,

Defendant.

Case No. C05-5444 RBL

ORDER ON MORE DEFINITE  
STATEMENT

THIS MATTER comes on before the above-entitled Court upon Defendant's Motion for a More Definite Statement [Dkt. #7].

Having considered the entirety of the records and file herein, and having considered that plaintiffs have failed to respond to the motion and pursuant to CR7(b)(2), Local Rules W.D. Wash., "such failure may be considered by the court as an admission that the motion has merit[]" it is hereby

ORDERED that Defendant's Motion for a More Definite Statement [Dkt. #7] is **GRANTED**. Under Fed. R. Civ. P. 8(a) a complaint must contain "a short and plain statement of the claim showing that the pleader is entitled to relief." Plaintiffs' complaint in this matter fails to indicate that plaintiffs are entitled to relief because it fails to set forth what defendant did to violate the Fair Debt Collection Act and when the alleged actions or omissions occurred. Therefore, plaintiffs shall file an amended complaint which comports with Fed. R. Civ. P. 8(a) on or before September 9, 2005. The failure to file an amended complaint will result in the dismissal with prejudice of this action.

1 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party  
2 appearing pro se.

3 Dated this 12<sup>th</sup> day of August, 2005.

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5 RONALD B. LEIGHTON  
6 UNITED STATES DISTRICT JUDGE  
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